

DENISE CARLON, ESQ.
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IN THE MATTER OF:

Karlene Woolery,

DEBTOR.

**IN THE UNITED STATES
BANKRUPTCY COURT FOR THE
DISTRICT OF NEW JERSEY**

CHAPTER 13
CASE NO. 17-26201 RG

NOTICE OF OBJECTION

The undersigned, Denise Carlon, Esquire For KML Law Group, P.C., attorney for Secured Creditor **BANK OF AMERICA, N.A.**, the holder of a Mortgage on the Debtor's premises at **24 Columbia Road Morristown, NJ 07960** hereby objects to the confirmation of the debtors' proposed Chapter 13 Plan for the following reasons:

1. Debtor's plan seeks to cram down Bank of America's lien on the subject property based on an alleged superior mortgage held by Fannie Mae.
2. The issue of priority between Fannie Mae and Bank of America has been litigated to near completion in a foreclosure action filed by Bank of America, docket number F-002499-16.
3. Before the order determining priority in the foreclosure proceeding could be entered in the state court, Debtor filed the instant bankruptcy petition, thereby staying the state court foreclosure proceedings.
4. Because the issue of priority of the subject liens is not settled, it is not clear that Bank of America's lien is subordinate to that of Fannie Mae, and therefore neither lien should be crammed down or modified unless and until the issue is concluded in the state court proceeding.

In the event the debtors cure the aforesaid payments due outside the Chapter 13 Plan prior to the Confirmation Hearing, the undersigned will not appear at the Confirmation Hearing and aforesaid objections should be deemed waived.

/s/ Denise Carlon, Esquire
Denise Carlon, ESQUIRE
Attorney for BANK OF AMERICA, N.A.

Dated: October 12, 2017